



Order Filed on November 15, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1

**LOWENSTEIN SANDLER LLP**

Arielle B. Adler, Esq.  
Bruce Buechler, Esq.  
Joseph J. DiPasquale, Esq.  
Jennifer B. Kimble, Esq.  
Kenneth A. Rosen, Esq.  
Mary E. Seymour, Esq.  
One Lowenstein Drive  
Roseland, New Jersey 07068  
(973) 597-2500 (Telephone)  
(973) 597-2400 (Facsimile)

*Counsel to the Debtor and  
Debtor-in-Possession*

In re:

HOLLISTER CONSTRUCTION SERVICES, LLC,<sup>1</sup>  
  
Debtor.

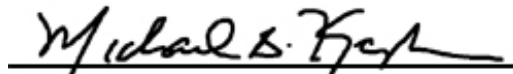
Chapter 11

Case No. 19-27439 (MBK)

**INTERIM ORDER DENYING MOTION OF JOFFE LUMBER & SUPPLY CO., INC.  
TO THE EXTENT IT SEEKS AN ORDER THAT THE AUTOMATIC STAY IS  
TERMINATED AS TO JOFFE LUMBER & SUPPLY CO., INC. FOR CAUSE  
PURSUANT TO 11 U.S.C. § 362(D)(1) IN CONNECTION WITH  
THE ACCORDIA PROJECT AND SCHEDULING A FINAL HEARING**

The relief set forth on the following pages, numbered two (2) through and including  
four (4), is hereby **ORDERED**.<sup>2</sup>

**DATED: November 15, 2019**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

Page 2

Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption: Interim Order Denying Motion of Joffe Lumber & Supply Co., Inc. to the Extent It Seeks an Order That the Automatic Stay is Terminated as to Joffe Lumber & Supply Co., Inc. for Cause Pursuant to 11 U.S.C. § 362(d)(1) in Connection with the Accordia Project and Scheduling a Final Hearing

---

Upon the motion of Joffe Lumber & Supply Co., Inc. ("Joffe"), for entry of an Order (I) confirming that the automatic stay is not applicable to (a) the Vestry GC Contract and the Vestry Project, and (b) Joffe's entry into a contract with the Vestry Project Owner to perform certain construction services, work, material, goods and/or equipment to the Vestry Project Owner on the Vestry Project and receive payment from the Vestry Project Owner for pre-petition amounts due and owing to Joffe and for post-petition amounts that become due and owing to Joffe under the contract with the Vestry Project Owner (the "Vestry Project Relief"); and (II) terminating the automatic stay as to Joffe for "cause" pursuant to 11 U.S.C. § 362(d)(1) to permit Joffe to exercise all of its rights and remedies under New Jersey law to enforce its Accordia Construction Lien against the Accordia Project Owner and the Accordia Property, including, but not limited to, permitting Joffe to (a) demand and collect payment of the Accordia Project Total Amount Due from the Accordia Project Owner in satisfaction of the Accordia Construction Lien; and (b) commence an action against the Accordia Project Owner under New Jersey Construction Lien Law to enforce its Accordia Construction Lien (the "Accordia Project Relief") (the "Motion") [Docket No. 248]; and it appearing that the Court has jurisdiction over this matter; and it appearing that due notice of the Motion as set forth therein is sufficient under the circumstances, and that no other or further notice need be provided; and the Court having reviewed the opposition to the Motion filed by the Debtor [Docket No. 407]; and the Court having held a hearing on November 7, 2019 on the Motion (the "Hearing") and having heard the arguments of counsel; and after due deliberation and sufficient cause appearing therefore, and for the reasons set forth on the record at the Hearing;

Page 3

Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption: Interim Order Denying Motion of Joffe Lumber & Supply Co., Inc. to the Extent It Seeks an Order That the Automatic Stay is Terminated as to Joffe Lumber & Supply Co., Inc. for Cause Pursuant to 11 U.S.C. § 362(d)(1) in Connection with the Accordia Project and Scheduling a Final Hearing

---

**IT IS HEREBY ORDERED** as follows:

1. Joffe's Motion is **DENIED ON AN INTERIM BASIS** with respect to the Accordia Project Relief.

2. A final hearing to consider the Motion with respect to the Accordia Project Relief is scheduled for December 12, 2019 at 10:00 A.M (the "Final Hearing").

3. The automatic stay will remain in effect with respect to Joffe in connection with the Accordia Project pending the conclusion of the Final Hearing pursuant to 11 U.S.C. § 362(e)(1) and the Court's entry of a subsequent order.

4. Notwithstanding anything to the contrary herein, the entry of this Interim Order is without prejudice to, and does not constitute a waiver of, expressly or implicitly, or otherwise impair: (a) Joffe's right to seek any other or supplemental relief in respect of the Accordia Project Relief; (b) Joffe's right to amend, modify or supplement its Motion and the grounds stated therein with respect to the Accordia Project Relief; (c) Joffe's rights under the Bankruptcy Code or under non-bankruptcy law in connection with the Accordia Project; (d) Joffe's right under the Bankruptcy Code to seek relief from the automatic stay of 11 U.S.C. § 362 under 11 U.S.C. §§ 362(d)(2), 362(d)(3), or 362(d)(4); and (e) any other rights, claims, or privileges (whether legal, equitable or otherwise) of Joffe. Joffe may amend, modify or supplement its Motion and the grounds stated therein with respect to the Accordia Project Relief at any time up to and until the conclusion of the Final Hearing.

5. The entry of this Interim Order is without prejudice to, and does not constitute a waiver of, expressly or implicitly, or otherwise impair the Debtor's right to assert objections to or otherwise oppose any request for other or supplemental relief, assertion of rights, claims, or privileges (whether legal, equitable or otherwise), or request to amend, modify or

Page 4

Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption: Interim Order Denying Motion of Joffe Lumber & Supply Co., Inc. to the Extent It  
Seeks an Order That the Automatic Stay is Terminated as to Joffe Lumber & Supply  
Co., Inc. for Cause Pursuant to 11 U.S.C. § 362(d)(1) in Connection with the Accordia  
Project and Scheduling a Final Hearing

---

supplement the Motion and the grounds therein by Joffe under Paragraph 4 above. The Debtor  
may amend, modify or supplement its pending objection to the Accordia Project Relief section of  
the Motion at any time prior to or up to the conclusion of the Final Hearing.

6. This Order is effective upon its entry by the Court.

In re:  
Hollister Construction Services, LLC  
Debtor

Case No. 19-27439-MBK  
Chapter 11

### CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Nov 15, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2019.

db +Hollister Construction Services, LLC, 339 Jefferson Road, Parsippany, NJ 07054-3707

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 17, 2019

Signature: /s/Joseph Speetjens

---

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2019 at the address(es) listed below:

NONE. TOTAL: 0